UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,748	02/25/2004	Rob Woollen	BEAS-01433US1	2991

23910 7590 02/01/2007		EXAMINER
FLIESLER MEYER LLP		YIGDALL, MICHAEL J
650 CALIFORNIA STREET		

ART UNIT	PAPER NUMBER
2192	

14TH FLOOR
SAN FRANCISCO, CA 94108

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

		Application No.	Applicant(s)
Office Action Summary		10/786,748	WOOLLEN ET AL.
		Examiner	Art Unit
		Michael J. Yigdall	2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _14 November 2006_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,4,6-8,10,11,14,16-18,20,21,24,26-28 and 30-33_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,4,6-8,10,11,14,16-18,20,21,24,26-28 and 30-33_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _14 November 2006_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All b)☐ Some * c)☐ None of:

　　　　1.☐ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)　　　　　　　　Office Action Summary　　　　　　　　Part of Paper No./Mail Date 20070124

DETAILED ACTION

1.   This Office action is responsive to Applicant's submission filed on November 14, 2006.

Claims 1, 4, 6-8, 10, 11, 14, 16-18, 20, 21, 24, 26-28 and 30-33 are now pending.

Response to Amendment

2.   The objection to the drawings has been withdrawn in view of Applicant's replacement

drawing sheet.

3.   The objections to the specification and the objection to claim 1 have been withdrawn in

view of Applicant's amendments.

4.   The rejection of claims 1-30 under 35 U.S.C. 101 and the rejection of claims 1-4, 6-14,

16-24 and 26-30 under 35 U.S.C. 102(b) have been withdrawn in view of Applicant's

amendments.

Response to Arguments

5.   Applicant's arguments have been considered but are moot in view of the new ground(s)

of rejection, as set forth below with reference to Berg, Rich and McIntyre. Applicant's

amendment necessitated the new ground(s) of rejection.

Specification

6.   The use of the trademarks "J2EE" and "ENTERPRISE JAVABEAN" (see, for example,

specification, page 2, paragraph [0003]), as well as the trademark "WEBLOGIC SERVER" (see,

for example, specification, page 3, paragraph [0010]), have been noted in this application.

All trademarks, such as those noted above, should be capitalized wherever they appear

and should be accompanied by the generic terminology. Applicant is respectfully asked to

identify any other trademarks in the application as appropriate.

Although the use of trademarks is permissible in patent applications, the proprietary

nature of the marks should be respected and every effort made to prevent their use in any manner

that might adversely affect their validity as trademarks.

Claim Objections

7.   Claims 1, 11 and 21 are objected to because they recite the abbreviation "JAR" with no

corresponding definition. The definition of any abbreviation should be positively recited at least

once in each set of claims. Appropriate correction is required.

8.   Claim 11 is objected to because it includes a period before the end of the claim, after

"wherein during deployment the server" at line 11. Appropriate correction is required.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

10.   Claims 1, 4, 6, 8, 10, 11, 14, 16, 18, 20, 21, 24, 26, 28 and 30 are rejected under 35

U.S.C. 103(a) as being unpatentable over U.S. Pub. No. 2004/0088681 to Berg et al. (art of

record, "Berg") in view of U.S. Pub. No. 2002/0178439 to Rich et al. (art of record, "Rich").

With respect to claim 1 (currently amended), Berg discloses a system for organization of

software application files during development and subsequent deployment of the software

application to a server (see, for example, the abstract), comprising:

a split directory structure stored on a computer medium that stores files for a software

application (see, for example, paragraph [0025], lines 1-7, which shows a split directory structure

for files of a software application), wherein the split directory structure includes both a source

folder that stores editable source files as part of the software application (see, for example,

paragraph [0008], lines 1-7, which shows that the split directory structure includes such a source

folder), and a corresponding output folder that stores compiled files as part of the software

application (see, for example, paragraph [0006], lines 6-11, which shows that the split directory

structure includes such an output folder).

Here, the container project of Berg (see, for example, paragraph [0025], lines 1-7) is

considered to represent a split directory structure for an application. The container project (i.e.,

the split directory structure) includes a source folder that stores editable source files (see, for

example, paragraph [0008], lines 1-7). The utility JAR of Berg stores compiled files (see, for

example, paragraph [0006], lines 6-11), and is considered to represent an output folder at least

because its contents are expanded into a directory (see, for example, paragraph [0005], lines 11-

16). The utility JAR (i.e., the output folder) is included in the container project (i.e., the split

directory structure) and is considered to represent a "corresponding" output folder at least

because it corresponds to the same container project as the source folder (see, for example,

paragraph [0010], lines 3-14).

Berg discloses virtual archives (see, for example, paragraph [0036], lines 1-7), and

further discloses JAR files and other related archives (see, for example, paragraph [0005], lines

5-11 and paragraph [0007], lines 1-8), but does not expressly disclose that the split directory is

accessed as a virtual JAR file that provides an abstraction over the two folders therein.

However, in an analogous art, Rich discloses a virtual archive that provides an

abstraction over a directory structure (see, for example, paragraph [0019], lines 1-11), and

further discloses such an archive in the format of a JAR file (see, for example, paragraph [0005],

lines 1-22 and paragraph [0007], lines 1-11). The virtual archive (i.e., the virtual JAR file)

provides a simple, common and transparent interface for directory structures and archive files

alike (see, for example, paragraph [0018], lines 1-13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to access the split directory of Berg as a virtual JAR file that provides an

abstraction over the two folders therein, as Rich suggests, so as to access the split directory with

a simple, common and transparent interface.

Berg in view of Rich further discloses:

a server upon which the software application will be deployed (see, for example, Berg,

paragraph [0031], lines 1-6, which shows an application server); and

a deployment tool that allows the user to specify the output folder during deployment of

the software application (see, for example, paragraph [0027], lines 1-3, which shows a

deployment tool for specifying an output folder to deploy), wherein during the deployment the

server recognizes the split directory structure and deploys the application by making requests to

the virtual JAR file which checks both the source folder and the corresponding output folder for

software application files (see, for example, Berg, paragraph [0027], lines 3-9 and paragraph

[0029], lines 1-5, which shows that the server checks the split directory structure for the software

application files, and see, for example, Rich, paragraph [0052], lines 1-17, which shows the

manner in which such requests are made to the virtual JAR file), before deploying the software

application files to the server (see, for example, Berg, paragraph [0030], lines 1-4).

With respect to claim 4 (currently amended), the rejection of claim 1 is incorporated, and

Berg in view of Rich further discloses that the output folder includes a file that identifies the

output folder as being part of the split directory which also includes the corresponding source

folder (see, for example, Berg, paragraph [0026], lines 1-3, which shows such a file).

With respect to claim 6 (original), the rejection of claim 1 is incorporated, and Berg in

view of Rich further discloses that said software application, or another software application can

point to the output folder to access or retrieve resources in either the output folder and/or the

source folder as necessary for operation of the software application (see, for example, Berg,

paragraph [0037], lines 1-7, which shows that software applications access resources in the

output and/or source folders as necessary).

With respect to claim 8 (original), the rejection of claim 1 is incorporated, and Berg in

view of Rich further discloses that said output folder can be deleted to remove the latest build of

the software application, and then recreated to create a new build (inherently, the output folder

can be deleted and recreated to remove the software application and create a new build).

With respect to claim 10 (original), the rejection of claim 1 is incorporated, and Berg in view of Rich further discloses that the source folder is populated with source files that are stored in or retrieved from a source control system (see, for example, Berg, paragraph [0024], lines 1-5, which shows that source folder is populated with files from an IDE or source control system).

With respect to claims 11, 14 (currently amended), 16, 18 and 20 (original), the claims are directed to a method that is analogous to the system of claims 1, 4, 6, 8 and 10, respectively (see the rejection of claims 1, 4, 6, 8 and 10 above).

With respect to claims 21, 24 (currently amended), 26, 28 and 30 (original), the claims are directed to a computer readable medium that is analogous to the system of claims 1, 4, 6, 8 and 10 (see the rejection of claims 1, 4, 6, 8 and 10 above).

11.   Claims 7, 17, 27 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berg in view of Rich, as applied to claims 1, 11 and 21 above, respectively, and further in view of U.S. Patent No. 6,178,546 to McIntyre (art of record, "McIntyre").

With respect to claim 7 (original), the rejection of claim 1 is incorporated. Berg in view of Rich further discloses that the output folder is created and populated with compiled files (see, for example, Berg, paragraph [0006], lines 6-11), but does not expressly disclose that said output folder is automatically created and populated upon compiling the software application.

However, in an analogous art, McIntyre discloses an output folder within a build area that stores compiled files for a software application (see, for example, column 4, lines 37-43). The

output folder is automatically populated upon compiling the software application (see, for example, column 6, lines 57-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to automatically create and populate the output folder of Berg in view of Rich upon compiling the software application, as McIntyre suggests, so as to provide the system with further automation.

With respect to claim 17 (original), the claim is directed to a method that is analogous to the system of claim 7 (see the rejection of claim 7 above).

With respect to claim 27 (original), the claim is directed to a computer readable medium that is analogous to the system of claim 7 (see the rejection of claim 7 above).

With respect to claim 31 (new), the rejection of claim 1 is incorporated. Berg in view of Rich further discloses that the software application files include classes and resources (see, for example, Berg, paragraph [0006], lines 6-11 and paragraph [0007], lines 1-8), and further discloses checking for and finding the files in any location (see, for example, Berg, paragraph [0039], lines 1-5), but does not expressly disclose that the virtual JAR file first checks the source folder for the software application files including any classes or resources needed by the software application, and, if the classes or resources are not found in the source folder, then checks the output directory.

However, in an analogous art, McIntyre discloses first checking one build area for software application files, and, if the files are not found in the build area, then checking another build area (see, for example, column 2, lines 57-60). This enables a developer to separately

update his or her own files while still referencing files from other developers (see, for example, column 2, lines 54-57 and 60-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the virtual JAR file of Berg in view of Rich such that it first checks the source folder for the software application files including any classes or resources needed by the software application, and, if the classes or resources are not found in the source folder, then checks the output directory, as McIntyre suggests.

It would have been obvious to check the source folder first and then check the output folder because, as Berg discloses, it is optimal for the software application to access the source folder so that the programmer can update those files directly (see, for example, paragraph [0009], lines 6-9), rather than having to update copies of the files stored in the output folder (see, for example, paragraph [0011], lines 1-11).

With respect to claim 32 (new), the claim is directed to a method that is analogous to the system of claim 31 (see the rejection of claim 31 above).

With respect to claim 33 (new), the claim is directed to a computer readable medium that is analogous to the system of claim 31 (see the rejection of claim 31 above).

Conclusion

12.   The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure (see the attached Notice of References Cited).

13.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

14.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael J. Yigdall whose telephone number is (571) 272-3707.

The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). ·If you

would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MY

Michael J. Yigdall
Examiner
Art Unit 2192

mjy
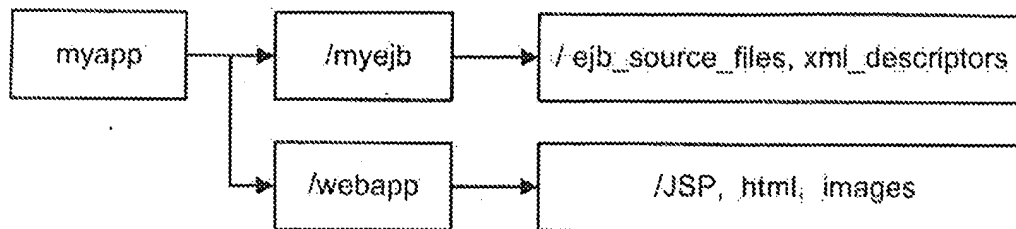
TUAN DAM
SUPERVISORY PATENT EXAMINER

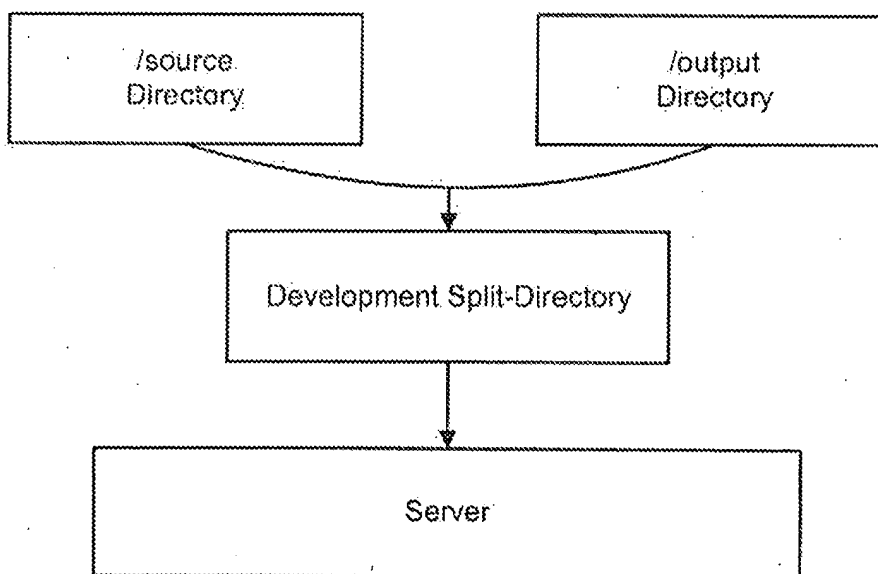| myapp	→	/myejb	→	/ ejb_source_files, xml_descriptors
		/webapp	→	/JSP, html, images

Figure 1

(PRIOR ART)

```
┌──────────────┐          ┌──────────────┐
│  /source     │          │  /output     │
│  Directory   │          │  Directory   │
└──────────────┘          └──────────────┘
              ↓
   ┌─────────────────────────────┐
   │ Development Split-Directory  │
   └─────────────────────────────┘
              ↓
   ┌─────────────────────────────┐
   │          Server             │
   └─────────────────────────────┘
```

Figure 2